

February 7, 1975

SENATOR MILLS: I'm sorry I'm not getting my point across. I want . . . in the bill it calls for a fine of "not less than \$10, nor more than \$100". The amendment is asking for that \$100 to be changed to \$25. I want it like it is.

CLERK: Alright. Then we would delete the last line of the committee amendment.

SENATOR MILLS: That's correct.

PRESIDENT: The question is the amendment to the amendment, proposed by Senator Mills, which in affect restores the original bill. Record your vote. Have you voted? Record Mr. Clerk.

CLERK: 17 ayes, 7 nays.

PRESIDENT: This provides for a majority of those voting. The amendment passes. Are you ready to vote on the amendment as amended? Senator Dickinson. Senator Nichol. Alright, Senator Dickinson.

SENATOR DICKINSON: Mr. Speaker, may I have a question of Senator Kremer please.

PRESIDENT: Senator Kremer would you respond?

SENATOR KREMER: Yes.

SENATOR DICKINSON: Senator Kremer, are you satisfied that this, with the language of the amendment so that there can be no way . . . room for just plain harrassment by a county highway official over some insignificant amount of water that might conceivably flow down a road ditch at some point?

SENATOR KREMER: Well I doubt very much that would happen, although I suppose it could.

SENATOR DICKINSON: Was that the intent of the amendment, to see that this probably didn't happen? In stating where it says, by allowing water to accumulate on the roadway or traveled surface of the road. Is that intended to not allow technicalities to come into it on the part of a county highway department?

SENATOR KREMER: Well the testimony given by Mr. Johnson was this, there were times when there was construction taking place on a road and at that time, or repair on a road, at that time through the irrigation season water was allowed to come down the road and it actually stopped construction for some time. He felt that this should not be allowed.

SENATOR DICKINSON: Then this bill is basically aimed at irrigation areas where water does spill out on the road for various reasons. Then I was wondering about the testimony of Mr. Norm Magnusson of Sarpe County Board. Certainly this is not a problem in Sarpe County. I was wondering what his testimony was in regard to this bill.